

10CFR851 Overview

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10CFR851 Overview

Applies to all DOE contractors indemnified under PAAA

Enforcement begins 1 year after the rule is published in the Federal Register

Civil penalties up to \$70K per violation per day for continuing violations

Total civil penalties may not exceed fee

Civil penalty mitigation for self identification and prompt reporting (50%) and for prompt and comprehensive corrective action (50%)

No mitigation for self-disclosing events

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Final Rule published in Federal Register on Feb 9, 2006

Contractors must submit a written worker safety and health program by Feb 26, 2007

BHSO must approve within 90 days of submittal

Contractors must achieve compliance with Rule by May 25, 2007

No work may be performed at sites after May 25, 2007 without an approved plan

Annual updates are required

Variances must be granted by Under Secretary

Contractor Responsibilities

Ensure workplace is free of recognized hazards;

Provide workers with adequate protection;

Comply with workplace safety and health requirements (as established by the Rule);

Comply with compliance orders;

Ensure work is performed in accordance with approved program;

Report and investigate each occurrence, near miss that could cause death or serious injury.

Specific Program Requirements

Management responsibilities and worker rights and responsibilities

Hazard identification and assessment

Hazard prevention and abatement

S & H standards (CFR, ANSI, ACGIH, ASME, NFPA)

Functional areas

Training and information

Recordkeeping and reporting

Reference sources (ANSI, NFPA, ASME, DOE Manual)

Functional Areas

Construction safety

Fire protection

Pressure safety

Industrial hygiene

Biological safety

Occupational medicine

Motor vehicle safety

Electrical safety

Nanotechnology safety

Workplace violence prevention

Path Forward

- Develop Program for DOE review/approval
- Identify all existing program documents
- Write new Program Description
- Perform a gap analysis against rule requirements
- Identify all potential variance requests
- Create mechanism to capture S&H related issues and reported as PAAA
- Expand PAAA subject area to cover S&H
- Expand PAAA Working Group to include S&H
- Develop project plan/schedule